ARMY's Sexual Assault Prevention and Response Program

U.S. ARMY

Unit Refresher Training

Terminal Learning Objective

Action	Maintain the Army's Sexual Assault Prevention and Response Program
Conditions	In a classroom environment with facilitated group discussions or scenarios
Standards	Complete the lesson on the Army's Sexual Assault Prevention. A. Define the Army's Sexual Assault Policy B. Define types of sexual assault and its effect on the victim, alleged perpetrator, and unit C. Evaluate trends and techniques used to prevent sexual assaults D. Apply individual and leader responsibilities for communicating the Army's Sexual Assault Prevention and Response Program E. Identify reporting options available to sexual assault victims F. Identify rights of the victim and alleged perpetrator and resources available to victims

Program Purpose

Eliminate incidents of sexual assault through a comprehensive program that centers on:

- Awareness and prevention
- Training and education
- Reporting
- Response
- Victim advocacy
- Accountability

Army Policy on Sexual Assault

Sexual assault is a **criminal offense** that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team.....It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws... The Army will treat all victims of sexual assault with dignity, fairness, and respect.

AR 600-20, Paragraph 8-2

DoD Definition of Sexual Assault

- Sexual assault is defined as intentional sexual contact, characterized by use of force, physical threat, or abuse of authority, or when the victim does not or cannot consent.

- Sexual assault can occur without regard to gender or spousal relationship or age of victim.

Legal Sanctions

Sexual Assault is punishable under UCMJ:

Sexual assault includes such offenses as rape, forcible sodomy, and indecent assault. Depending upon the offense and the circumstances of the offense, the maximum punishments include death, confinement for life without eligibility for parole, confinement for life with eligibility for parole, confinement for a period of years (for example 5 years), total loss of all pay and allowances, dishonorable discharge (enlisted Soldiers only), bad conduct discharge (enlisted Soldiers only), dismissal from the service (commissioned officers only), and reduction to E-1 (enlisted Soldiers only.)

DoD FY08 Sexual Assault Statistics

- In FY08, there were 2908 reports of sexual assault involving military service members, representing an 8% increase from FY07.
  - 2,265 were Unrestricted (9% increase)
  - 753 were Restricted (7%)
    - 110 (or 15%) of the Restricted Reports were converted to Unrestricted reports, leaving 643 remaining restricted reports

Sexual Assault Trends

Current sexual assault trend data shows that:

- The majority of military victims are 20-24 year-old females in ranks PVT-SPC
- Most military alleged perpetrators are 20-24 year-old males in ranks PVT-SPC
- Most military assaults occur in Soldier living areas, such as barracks
- More than half of sexual assault cases involve alcohol use

Sexual Assault Prevention

- Avoid alcohol and other drugs
- Rely on your instincts and be watchful
- Establish and maintain your limits
- Be aware of your surroundings
- Battle buddy
- Follow the rules!

Soldier Responsibilities

- Listen to the victim and take the allegations seriously
- Make no judgments about the victim or the alleged perpetrator
- Support the victim and show respect
- Be aware of sexual assault risk factors
  - Specific risk factors in theatre

Leader Attitudes/Behaviors

- Convey the message that sexual assault can be prevented
- Treat sexual assault victims with sensitivity
- Create a supportive environment
- Alleviate fear of reprisal
- Delay action against victims for alleged collateral misconduct

Reporting Options

- **RESTRICTED**
- **UNRESTRICTED**

Restricted Reporting

- Victim discloses sexual assault on a **CONFIDENTIAL** basis.

- Report confidentially to:
  - Victim Advocate (VA)
  - Sexual Assault Response Coordinator (SARC)
  - Healthcare Provider
  - Chaplain

- Reporting sexual assault to any agency or individual not listed above may result in an unrestricted report.

Restricted Reporting

- Allows Soldier to receive medical treatment
- Allows Soldier to receive counseling
- Does **NOT** trigger investigative process
- UVA assigned
- Details of case held within 4 reporting avenues, limited to **“need to know”**
- **Can be** changed to unrestricted at anytime

Unrestricted Reporting

- **Sexual Assault Response Coordinator (SARC)**
- **Unit Victim Advocate (UVA)**
- **Medical Facility**
- **Unit Chaplain**
- **Chain of Command**
- **Military Police**
- **Criminal Investigation Command (CID)**
- **Staff Judge Advocate (SJA)**
- **911**
- **Military One Source**

Unrestricted Reporting

- Allows Soldier to receive medical treatment
- Allows Soldier to receive counseling
- Investigative process is initiated
- UVA assigned
- Support from Chain of Command
- Details of case held in strictest confidentiality, limited to **“need to know”** personnel
- Once reported, **CANNOT** be changed to Restricted

Information to Report

Contact authorities with the following information:

- Date, time and location of incident
- Name of individual making report and relationship to incident or victim
- Victim's name and location
- Victim's injuries and medical needs
- Who, if anyone, is there to assist the victim
- Identity, description, and location of alleged perpetrator

Victim's Reluctance to Report

- Embarrassment or shame
- Fear of reprisal by perpetrator or command
- Depression and feelings of helplessness
- Low self-esteem
- Anger and/or guilt
- Belief that nothing will be done
- Fear of being punished for "collateral" misconduct (e.g. underage drinking, etc.)

Victim Actions

- Go to a safe place
- Immediately report the assault using available resources
- Do not destroy evidence by “cleaning up”
- Report to a hospital or clinic and they will notify proper agency

Rights of the Victim

Opt for Restricted or Unrestricted Reporting (Soldiers only)
Be treated with fairness and respect
Be protected
Seek/obtain Information about the the case
Victims have the right to
Be notified of court proceedings
Confer with attorney for the government in the case
Be present at all court proceedings

Bottom Line

Sexual Assault will be defeated only by **Command** involvement and **Strong Leaders**!

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